

DOCKET FILE COPY ORIGINAL

ORIGINAL

ANNE GOODWIN CRUMP*
VINCENT J. CURTIS, JR.
THOMAS J. DOUGHERTY, JR.
JAMES G. ENNIS
PAUL J. FELDMAN*
RICHARD HILDRETH
EDWARD W. HUMMERS, JR.
FRANK R. JAZZO
BARRY LAMBERGMAN
PATRICIA A. MAHONEY
GEORGE PETRUTSAS
LEONARD R. RAISH
JAMES P. RILEY
MARVIN ROSENBERG
LONNA M. THOMPSON
KATHLEEN VICTORY*
HOWARD M. WEISS

*NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET

ROSSLYN, VIRGINIA 22209

P. O. BOX 33847

WASHINGTON, D.C. 20033-0847

(703) 812-0400 • (202) 828-5700

TELECOPIER

(703) 812-0486 • (202) 828-5786

July 7, 1993

PAUL D.P. SPEARMAN
(1936-1982)
FRANK ROBERSON
(1936-1981)

RETIRED
RUSSELL ROWELL
EDWARD F. KENEHAN
ROBERT L. HEALD
FRANK U. FLETCHER

OF COUNSEL
EDWARD A. CAINE

TELECOMMUNICATIONS CONSULTANT
HON. ROBERT E. LEE

WRITER'S NUMBER
(703) 812-
0470

RECEIVED

JUL - 7 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, DC 20554
Attention: Allocations Branch

RE: Evangelistic Alaska Missionary Fellowship, Inc.
Petition for Rulemaking
Channel 221A
Houston, Alaska

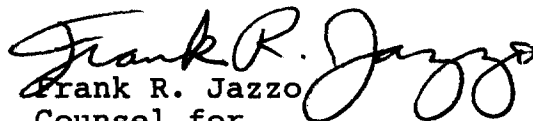
Dear Mr. Caton:

Transmitted herewith, on behalf of Evangelistic Alaska Missionary Fellowship, Inc., are an original and four copies of its Petition for Rulemaking to amend the FM Table of Allotments to allot Channel 221A to Houston, Alaska.

Should any additional information be required, please contact this office.

Very truly yours,

FLETCHER, HEALD & HILDRETH


Frank R. Jazzo
Counsel for
Evangelistic Alaska
Missionary Fellowship, Inc.

FRJ/rhw
Enclosure

No. of Copies rec'd
List ABCDE

044

ORIGINAL

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

RECEIVE

JUL - 7 1993

FEDERAL COMMUNICATIONS COM.
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No. _____
of the Commission's Rules,) RM _____
FM Table of Allotments)
to Allot Channel 221A to)
Houston, Alaska)

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

Evangelistic Alaska Missionary Fellowship, Inc. ("EAMF"), by its attorneys, hereby requests that the Commission institute a rulemaking proceeding for the purpose of allotting FM Channel 221A to Houston, Alaska, as that community's second FM service. EAMF proposes to amend Section 73.202(b) of the Commission's Rules, FM Table of Allotments, as follows:

	<u>Channel</u>	
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Houston, Alaska	232A	221A, 232A

No reassignment or substitution of existing allotments is requested.

1. If the requested allotment of Channel 221A at Houston, Alaska, is made, EAMF will promptly apply for a construction permit for a new FM station on the channel. If EAMF is granted a construction permit, it will expeditiously construct a new FM station on Channel 221A to serve Houston, Alaska.

2. As shown in the attached FM Spacing Study of Carl E.


Smith Electronics, the allotment of Channel 221A to Houston, Alaska, can be accomplished in compliance with all minimum mileage separation requirements from proposed reference coordinates of: 61° 37' 50" N; 149° 48' 49" W. In accordance with Section 1.401(d) of the Commission's Rules, a draft Notice of Proposed Rule Making is attached hereto.

3. The public interest will be served by providing Houston, Alaska, with a second FM service and a first competitive local aural service.

WHEREFORE, for the foregoing reasons, EAMF respectfully requests the Commission to initiate a rulemaking proceeding to amend Section 73.202(b) of its Rules by allotting Channel 221A to Houston, Alaska.

Respectfully submitted,

EVANGELISTIC ALASKA
MISSIONARY FELLOWSHIP, INC.

By: 
Edward W. Hummers, Jr.
Frank R. Jazzo

Its Attorneys

FLETCHER, HEALD & HILDRETH
11th Floor
1300 North 17th Street
Rosslyn, Virginia 22209
(703) 812-0400

July 7, 1993

CARL E. SMITH ELECTRONICS

FM SPACING STUDY

CARL E SMITH ELECTRONICS
CLEVELAND, OHIO

Page 1
June 17, 1993

FM Spacing study

Title: HOUSTON, AK
Channel 221A (92.1 MHz)
Database: DW 06/17/93

Latitude: 61-37-50
Longitude: 149-48-49
Safety zone: 30 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
KUWL	LIC	FAIRBANKS ED BCG FOUND I	*218A	.37	64-52-05	15.7	376.7	31
FAIRBANKS		AK BLED-851104KC	91.5	15	147-39-48	197.6	345.7	CLEAR
ALLOC			219A		49-56-16	121.8	1951	62
TAHSIS		BC	91.7		126-39-43	321.2	1889	CLEAR
KCZP	LIC	PICKLE HILL PUBLIC BCG I	*220C2	4.90	60-34-03	211.4	137.9	106
KENAI		AK BLED-890227KB	91.9	22	151-07-25	30.2	31.93	CLEAR
License Granted 06/11/90 per FCC release #20885 dated 06/19/90								
ALLOC			221C		64-03-00	58.4	594.4	259
DAWSON		YU	92.1		139-25-00	247.7	335.4	CLEAR
ALLOC			222B		49-31-44	112.1	2332	149
PENTICTON		BC	92.3		119-38-25	317.3	2183	CLEAR
ALLOC			223C		60-43-00	90.8	799.2	116
WHITEHORSE		YU	92.5		135-05-00	283.8	683.2	CLEAR
CBIW1	LIC		224B	.13	50-10-10	121.2	1935	71
WOSS CAMP		BC	92.7	386	126-34-08	320.6	1864	CLEAR
ALLOC			274C		58-18-12	106.5	937.0	29
JUNEAU		AK RM-4482	102.7		134-24-30	299.9	908.0	CLEAR
Filing window 04/22-05/27/93 **CLOSED** ; RM-4482								
PRM		CLASS CHANGE FROM C2 PRO	275C1		61-26-10	204.5	23.81	22
ANCHORAGE		AK DOC-93-139	102.9		149-59-57	24.4	1.811	CLOSE
PRM adopted 05/06/93, released 06/03/93; RM-8211; SITE RESTRICTION 15.5 MI NW								

>> End of channel 221A study <<

DRAFT NOTICE OF
PROPOSED RULEMAKING

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No. _____
Table of FM Allotments) RM _____
(Houston, Alaska))

NOTICE OF PROPOSED RULE MAKING

Adopted: _____; Released: _____

By the Chief, Allocations Branch:

1. The Commission has under consideration a petition for rulemaking filed by Evangelistic Alaska Missionary Fellowship, Inc. ("petitioner"), proposing the allotment of FM Channel 221A to Houston, Alaska, as that community's second FM radio service. Petitioner submitted information in support of the proposal and expressed its interest in filing for the channel, if assigned. The channel can be allotted in compliance with the minimum distance separation requirements.

2. In view of the fact that this assignment could provide a second FM service to Houston, Alaska, the Commission believes it is appropriate to invite comments on the proposal to amend the FM Table of Allotments (Section 73.202(b) of the Commission's Rules) with respect to the following community:

<u>City</u>	<u>Present</u>	<u>Channel No.</u> <u>Proposed</u>
Houston, Alaska	232A	221A, 232A

The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements is contained in the attached Appendix and is incorporated by reference herein. NOTE: a showing of continuing interest is required by paragraph _____ of the Appendix before a channel will be assigned.

4. Interested parties may file comments on or before _____, and reply comments on or before _____, and are advised to read the Appendix for the proper procedures. A copy of such comments should be served on petitioner's counsel, as follows:

Edward W. Hummers, Jr., Esquire
Frank R. Jazzo, Esquire
Fletcher, Heald & Hildreth
1300 North 17th Street
Eleventh Floor
Rosslyn, VA 22209

5. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Allotments, § 73.202(b) of the Commission's Rules. See, Certification that Sections 603 and 604 of the Regulatory Flexibility Act do Not Apply to Rule Making to Amend Sections 73.202(b), 73.504 and 73.606(b) of the Commission's Rules, 46 Fed. Reg. 11549, (February 9, 1981).

6. For further information concerning this proceeding, contact _____, Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all

ex parte contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An ex parte contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or an oral presentation required by the Commission. Any comments which have not been served on the petitioner constitute an ex parte presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed, constitutes an ex parte presentation and shall not be considered in the proceeding.

FEDERAL COMMUNICATIONS COMMISSION

Michael Ruger
Chief, Allocations Branch
Mass Media Bureau

Attachment: Appendix